

9 on Fulbright Panel Feel U.S. Over Reacted to Tonkin Attack

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Special to The New York Times

WASHINGTON, Feb. 24.—The concern over what he called the President's "misuse" of the resolution to escalate United States involvement.

On the basis of remarks during or after Secretary of Defense Robert S. McNamara's testimony last Tuesday, at least nine of the committee's 19 members believe that the Administration over-reacted and that, it also withheld some very important facts and was less than can did in presenting others.

The transcript of the hearing was released today.

On the other hand, some members, including the majority leader, Mike Mansfield, who has been one of the harshest critics of Vietnam policy, either defend the Administration's response or believe that it can be condoned because of the confusion of events and the intense pressure resulting from the attacks.

While disclaiming any thought of a "conspiracy" to provoke the North Vietnamese attack in order to justify retaliation, J. W. Fulbright, chairman of the committee, plainly indicated he thought Mr. McNamara had "ferred close to deception on Aug. 6, 1964, in not informing the committee that the destroyers Maddox and Turner Joy had been on an intelligence mission.

He also felt that the Secretary had been derelict in not telling the committee of the intercepts of North Vietnamese radio messages that were regarded as conclusive evidence of the second attack, of the messages to the Maddox seeking clarification of what had happened even after the retaliatory strike had been ordered and of the American direction of South Vietnamese PT-boat attacks on North Vietnam.

"I think it was very unfair to ask us to vote upon a resolution [the Tonkin Gulf Resolution] when the state of evidence was as uncertain as I think it now is," he said. "We have taken what is called [by Under Secretary of State Nicholas deB. Katzenbach] 'the functional equivalent' of a declaration of war upon evidence of this kind. . . . Even the commander [of the Maddox] . . . recommended that nothing be done until the evidence was further evaluated."

Senator Albert Gore was most critical in his comments. Recalling that Mr. McNamara told the committee last Tuesday that Lieut. Gen. David A. Burchinal, after analyzing the message traffic, had informed him "the actuality of the attack is confirmed," Senator Gore said to the Secretary:

"You do not say when . . . You got your information from Lieut. Gen. Burchinal. . . . Once again the facts have been twisted, Mr. Secretary."

Mr. Gore went on to say that he believed that the Congress and country had been "misled," and that "the Administration was hasty, acted precipitately, inadvisably, unwisely, out of proportion to the provocation in launching 64 bombing attacks . . . out of a confused, uncertain situation on a murky night."

Mansfield Defends Secretary

Mr. Mansfield, however, said that he thought Mr. McNamara in 1964 "was being as candid and as honest as he could be in the light of all the facts which were at his disposal."

Senator Stuart Symington, Democrat of Missouri, told Mr. McNamara that "if there was a mistake, and you do not believe there was a mistake, it was an unintentional mistake."

And Senator John J. Sparkman, Democrat of Alabama, said after the meeting that there had been "no purposeful misleading" of the committee in 1964.

But later, Senator Frank Carlson, Republican of Kansas, thought the extent of knowledge of the event at the time the retaliatory strike had been ordered was open to question.

Senator Clifford P. Case, Republican of New Jersey, referred to previous statements of

Senator Wayne said that the North Vietnamese had had "no reason to believe that we were trying to keep separate the South Vietnamese bombing operations and our patrol," as Mr. McNamara had contended.

Referring to prior testimony in September 1966, by Assistant Secretary of State William P. Bundy that a resolution akin to the Tonkin Resolution had been drafted several months before the attack, Mr. Morse said to Mr. McNamara:

"What worries me is that we here at that time were escalating. We were involving ourselves more and more in the difficulty of South Vietnam. We know from the record what the thinking was in the Administration, having in their pocket a resolution ready to spring on us."